IN THE HON'BLE HIGH COURT OF CHATTISGARH AT BILASPUR

Writ Petition No. 315 of 2001

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

B.Prabhakar Rao,
S/o Shri. Bh.V.Satyanarayana,
Aged about 42 years
House No. 12/243, Sikolabhata,
Prem Nagar, **DURG -491002**
(CHHATTISGARH)

.....PETITIONER

-VERSUS -

1. State Bar Council of M .P.
through The Secretary,
High Court Campus,
JABALPUR (M.P.)

2. The Enrolment Committee,
of State Bar Council of M.P.
through The Secretary,
State Bar Council of M.P.
High Court Campus,
JABALPUR (M.P.)

.... RESPONDENTS

PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR THE ISSUANCE OF APPROPRIATE ORDER/DIRECTION AND WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC.

XI-HC-22

(F1)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

W.P.No. 315/2001

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
18.4.2001	**Petitioner by Shri A.S.Gaharbar, Advocate.** **Respondents by Shri Abhishek Sinha, Advocate.** **Heard.** **Sole grievance of the writ petitioner is that his application for enrolment as Advocate submitted on 16.3.2000 has been kept pending on the ground that the matter pertaining to the dismissal order issued against the petitioner is pending before the Central Government Industrial Tribunal (CGIT). It may be stated that the said matter is pending before the CGIT in reference/to it. The Enrolment Committee has communicated to the writ petitioner that his request for enrolment cannot be finally considered before the disposal of the matter by CGIT.** **Several legal issues have been raised in the present petition regarding application of Rule 7-A framed by the Bar Council of India, so also as regards the interpretation and application of Section 24-A of the Advocates Act. In the representation made by the writ petitioner certain provisions under which recourse ~~too have been~~ can be made by the Enrolment Committee has also been mentioned, in terms of Rules 140 and 141 of the Rules framed by the M.P.State Bar Council.**	

[पीछे देखिये

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

On careful perusal of the submissions and the legal prepositions made on behalf of the parties and the pleadings, I am of the view that since the request for enrolment has not been disposed of it will not be proper for this Court to express opinion as regards interpretation or application of the Rules/Provisions of law, referred to by the parties.

It is contended on behalf of the writ petitioner that once application for enrolment is made, the same should be decided and disposed of by the concerned authority in terms of Section 21 of the Act.

In my view the concerned Enrolment Committee need not wait for the disposal of the case pending before the CGIT. In the result this petition is disposed of with the direction that the respondents shall examine the application of the writ petitioner for enrolment and dispose of the matter on merits at the earliest and not later than from two months from the date of receipt of this order.

Certified copy, today.

Thakur.

Sd/-
Chief Justice

GRPRJ—FS/511—1/2001—50,000.

CS/3/14